

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

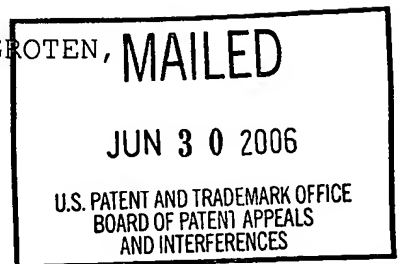
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Ex parte GARY G. PODREBARAC, WILLIBRORD A. GROTEN,  
and LAWRENCE A. SMITH, JR.

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Application No. 10/820,399

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ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

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This application was electronically received at the Board of Patent Appeals and Interferences on June 21, 2006. A review of the application has determined that the application is not ready for docketing as an appeal. Accordingly, the application is herewith returned to the Examiner. The matter requiring attention prior to docketing is identified below:

The content under the heading "SUMMARY OF THE CLAIMED SUBJECT MATTER" contained in the Appeal Brief received at the USPTO on February 3, 2006 does not provide a sufficient summary of


the independent claims involved in the appeal, which shall refer to the specification by page and line number, and to the drawing, if any, by reference characters. For each independent claim involved in the appeal and for each dependent claim argued separately under the provisions of paragraph (c)(1)(vii) of this section. [See 37 CFR § 41.37(c)(1)(v).]

Accordingly it is

ORDERED that the application is returned to the examiner:

- to submit a Revised Appeal Brief incorporating the required content as specified in 37 CFR § 41.37(c)(1)(v) for the "SUMMARY OF THE CLAIMED SUBJECT MATTER," section contained in the Appeal Brief received February 3, 2006; and
- for such further action as may be appropriate.

BOARD OF PATENT APPEALS  
AND INTERFERENCES

  
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DMS/hh